



**CITY COUNCIL MEETING
TUESDAY, DECEMBER 16, 2008
CITY HALL
22710 E. COUNTRY VISTA DRIVE
7:00 P.M.**

INVOCATION

Given by Council Member Crump

PLEDGE OF ALLEGIANCE

Led by Mayor Van Orman, City Council, and Staff

CALL TO ORDER

Mayor Van Orman called the meeting to order at 7:05 P.M.

ROLL CALL

Council Member Jenkins
Mayor Pro Tem Sayrs
Council Members Owens (absent)
Council Member Crump
Council Member Schuler
Council Member Olander
Council Member Langford

Doug Smith, Director of Community Dev
Ann Swenson, Executive Assistant
Brian Asmus, Chief of Police
Sean Boutz, City Attorney
Jessica Platt, Admin Services Manager

Council Member Jenkins moved to excuse Council Member Owens, seconded by Council Member Crump. Motion passed unanimously.

AGENDA APPROVAL

Council Member Crump moved to add the Consortium Agreement for the License of Downloadable Media as Agenda Action Item D, and Council Member Olander moved to add Comcast Franchise Agreement under Agenda Workshop Discussion, seconded by Mayor Pro Tem Sayrs. Motion to approve the agenda as amended passed unanimously.

APPROVAL OF CITY COUNCIL MINUTES

Council Member Crump moved to approve the December 2, 2008 City Council Meeting Minutes, seconded by Council Member Jenkins. Motion passed unanimously.

CITIZEN COMMENTS

None.

MAYOR AND CITY COUNCIL REPORTS

Council Member Crump provided a Finance Committee report. The Committee reviewed vouchers and held discussions regarding the budget, the library consortium, the 2008 City Comprehensive Plan, workshop discussions, and committee make up. Mayor Pro Tem Sayrs added the Finance Committee will be reviewing the City's financial policies after the new year.

Mayor Van Orman said the City's first Winterfest was a success and very well received by the community. She said the winner of the Christmas light tour will be announced Friday, December 19th. Mayor Van Orman reported that during the recent Northeast Mayors' Association meeting, she was elected as Chair for 2009 and Councilman Odin Langford was appointed to the Emergency Management Board. She said she met with Valley Hub's new director, Steve Becker, and discussed new programs. She also reported that she and Doug Smith attended the stakeholder's meeting for regional transportation. She said M&O for each jurisdiction and regional projects were discussed and a leadership metro group was established, which includes Liberty Lake, Spokane Valley, Spokane, Airway Heights, Spokane County and some members from the business community.

ACTION ITEMS

Council Member Crump moved to approve the Consent Agenda, which included vouchers totaling \$210,260.56, seconded by Mayor Pro Tem Sayrs. Motion passed unanimously. Check number sequences were 10556 through 10604.

SERVICE AWARDS

Mayor Van Orman presented Library Director, Pamela Mogen, a five-year service award. She thanked Ms. Mogen for making the Liberty Lake Municipal Library a success and for her service to the Liberty Lake community.

Police recognition awards were then given. Chief Brian Asmus presented the following:

Officer Taj Wilkerson – Certificate of Appreciation
Detective Ray Bourgeois – The "Pitbull" Award
Sergeant Clint Gibson – Chief's Award

Sergeant Gibson presented the Tactical Officer of the Year award to Officer Darin Morgan. Chief Asmus then handed out the Community Service Award to Officer Mark Van Hyning, and Officer of the Year Award to Officer Erin Lance.

Council Member Crump thanked the police department staff for their service, for being proactive, and for setting a positive tone and culture in our community. Mayor Van Orman also offered her thanks to the officers for their service.

NORTHWEST WASHINGTON ANYTIME LIBRARY CONSORTIUM

Library Director, Pamela Mogen, reviewed a proposal for an allocation of the library's audio/visual budget for a consortium agreement for the license of downloadable media. She said an online survey revealed 65% of patrons said they would use the digital media program to download audio books if it were available.

Discussion was held regarding the \$1,500 initial fee to participate in the consortium, the annual fee of \$431.55, and the cost to purchase titles from OverDrive, which is roughly five cents per capita. Mayor Van Orman said the Agreement has been reviewed by our City Attorney.

After no further discussion, Councilman Crump moved to enable the Mayor to enter into a Consortium Agreement for the License of Downloadable Media, seconded Mayor Pro Tem Sayrs. Motion passed 5-1; Council Member Jenkins opposed.

Council Member Crump asked Ms. Mogen to conduct a time-trial report on patron usage of the downloadable media and return to the City Council to provide an update.

ORDINANCE – SECOND READ

Ann Swenson, Executive Assistant, read Ordinance No. 172 into the record, levying the regular property taxes for the City of Liberty Lake, Washington in Spokane County for the year commencing January 1, 2009 to provide revenue for the provision of City services as set forth in the City budget.

Mayor Pro Tem Sayrs moved to adopt Ordinance No. 172, seconded by Council Member Crump.

Jessica Platt, Administrative Services Manager, reviewed Ordinance No. 172. She said the intent of the Ordinance is to bank the levy capacity the City earned, resulting in a safety net, if needed, in future years.

Discussion was then held to clarify the term "banking" and the history of the pertinent state law. Council Member Jenkins expressed concern that it was deceptive to the public, stating "it lacks transparency to what their true taxable rate is".

Council Member Schuler then invited Spokane Valley Fire Deputy Chief Larry Rider to approach the City Council and share his levy experience. Deputy Chief Rider said the City Council was being transparent now by holding candid discussions regarding the definition of banking and what it means regarding taxes and using the full taxable rate. He shared an example of what the fire district decided to do with its levy, indicating his jurisdiction banked its taxing capacity and later utilized that taxing capacity for a need of the citizens to provide services. Mayor Van Orman then invited public comment.

CITIZEN COMMENTS:

Pat Dockery, 22213 E. Henry Road, Liberty Lake, explained his understanding, stating that "It isn't very much, it's not a 2% increase next year, it will be 1% of 101, which is \$1.01. So, this isn't quite as drastic as it sounds."

Council Member Olander summarized the discussion, stating he sees both sides; to not raise taxes and not allow them to be raised by future councils by not banking the rate, and the banking possibility to keep the levy rates available for future councils in case there is an emergency.

Mayor Van Orman said to remember that some jurisdictions in Spokane County will see a reduction in property valuations. She stated, "And if that happens, we have now, by banking this, helped keep what we had for valuations as far as taxation. If it dips below that, we'll have to dip a whole lot lower than what we've done for this year's budget."

After no further discussion, Mayor Van Orman called for the vote. Motion passed 5-1; Councilman Jenkins opposed.

Ms. Swenson then read Ordinance No. 165-E into the record, amending Ordinance No. 165, passed by the City Council on December 18, 2007, adopting a budget for the period of January 1, 2008 through December 31, 2008, appropriating funds, establishing a new fund, and establishing salary schedules for established positions.

Council Member Crump moved to adopt Ordinance 165-E, seconded by Mayor Pro Tem Sayrs.

Ms. Platt re-addressed the small funds for the Mayor and City Council, including City Hall Reconstruction and the City Hall Project Fund. Mayor Van Orman then invited public comment. No comments were received and the vote was taken. Motion passed unanimously.

Ms. Swenson read Ordinance No. 171 into the record, adopting a budget for the period of January 1, 2009 through December 31, 2009, appropriating funds and establishing salary schedules for established positions.

Council Member Crump moved to adopt Ordinance 171, seconded by Mayor Pro Tem Sayrs.

Council Member Crump brought up the discussion held at last City Council Meeting regarding how City employees would willingly take a lower percent in their cost of living adjustment, but how he thinks it goes against the philosophy that has been set up to this point. He proposed cutting \$20,000 from various budgets, including legislative, parks, travel, recreation, beatification, and parks capital budgets, to give it to the employees, and to give the Executive Branch future direction to have a ceiling on the COLA percentage.

Council Member Schuler again commended City staff, but said she disagrees that other sources should be cut in order to adjust staff raises. Council Member Olander thanked

staff for the follow-up information he had requested at the last City Council meeting. He said he would like to know more about the step raises and if employees would be receiving the increased step because that would factor in to his decision to offer a smaller COLA.

Council Member Jenkins acknowledged his thanks to the staff as well for finding ways to cut costs. He said the current economy is the worst he's ever seen in his lifetime and that an 8% raise for staff is irresponsible to him, and if there were more ways to cut costs, costs should be cut.

Mayor Pro Tem Sayrs recognized the timing of the 5.9% inflation rate and talked about how it will balance out over time. He, too, gave thanks to the staff for offering to sacrifice for the budget's sake, but argued that the Mayor and City Council should "share in the pain" and make cut backs in the executive and legislative budgets.

Council Member Langford stated he doesn't like the choices. He said it's admirable that staff will take the cut, but asked the question, "Are we in the business of developing the City for the sake of the employees, or are we running the City for the sake of the constituents?"

Council Member Crump then made a motion to remove a total of \$20,000 from the Executive, Legislative, Parks and Recreation, and Beautification Capital Project budgets, and transfer the money to staff salaries. Mayor Pro Tem Sayrs seconded the motion.

Mayor Van Orman then opened the budget discussion to the public. No public comments were received and the vote was taken. Motion failed, 3-3; with Mayor Pro Tem Sayrs and Council Members Crump and Olander voting in favor of the motion, and Council Members Schuler, Jenkins, and Langford voting against it.

Mayor Pro Tem Sayrs then made a motion to amend the original motion to keep the budget the same, instead escalating the COLA to 5.9%, but offering no step increases and preserving them for the future. Council Member Crump seconded motion.

After further discussion regarding Mayor Pro Tem's amendment to the original motion, Mayor Van Orman called for the vote. Motion failed 1-5, with Mayor Pro Tem voting in favor, all other Council Members voting against the amendment.

Council Member Crump said if the funds couldn't be given back to the staff for the services they provide, then he would like to see that the proposed money be allocated for something the community really enjoys, such as parks and trails.

Council Member Crump made a motion to remove \$10,740 from various line items listed under the Legislative budget and transfer that amount to the Parks, Recreation and Beautification line item. Council Member Olander seconded the motion. After some discussion regarding transfers of funding from line item to line item, Councilman Jenkins made a friendly amendment to Councilman Crump's motion to transfer \$15,000 from the General Fund, subcategory Legislative fund, to the Park, Capital and City Beautification

Services fund. Councilman Crump accepted the friendly amendment and Mayor Van Orman called for the vote. Motion passed unanimously.

After a brief discussion regarding the original motion and the amendments to the original motion, Mayor Van Orman welcomed public comment. No comments were received. Mayor Van Orman then called for the vote on the original motion to pass the 2009 budget as proposed, with the amendments made as outlined above. Motion passed unanimously.

WORKSHOP/DISCUSSIONS

GMA Joint Planning Interlocal Agreement Amendments

Community Development Director, Doug Smith, provided background on the Growth Management Act, which included establishment of county-wide planning policies. He said the Interlocal Agreement has been amended twice since Liberty Lake's inception in 2001 when we joined the regional steering committee, and has again been amended in 2008. The current recommendations from the Steering Committee have been accepted by the Spokane Board of County Commissioners and now it is up to each jurisdiction to ratify the Agreement to secure its representation at the Steering Committee.

Introduction to the 2008 City Comprehensive Plan and Development Code Amendments

Planning Commission recommendations were forwarded to the Mayor and City Council regarding the Development Code and Comprehensive Plan for the amendment cycle of 2008, including the SAP, for review. Action will be taken later in 2009. Council Member Crump requested highlights for any "hot" buttons, and Mayor Pro Tem Sayrs requested additional information to the highlights, specifically the minutes.

Comcast Franchise Agreement

Council Member Olander talked about the increase in rates with the local switch over from Community Cable to Comcast. He said he would like to execute a franchise agreement in 2009 and requested the executive branch work on that, bringing forth public hearings and carrying through with execution of the agreement. Mayor Van Orman indicated that not only would a franchise agreement be worked on for Comcast, but others including Avista and the Liberty Lake Water and Sewer District.

UNFINISHED BUSINESS

None.

CITIZEN COMMENTS

None.

ADJOURNMENT

The meeting adjourned at 9:34 p.m.

These minutes are approved on January 20, 2009

Wendy Van Orman
Wendy Van Orman, Mayor
City of Liberty Lake

Ann Swenson
Notes and Transcription by Ann Swenson, Executive Assistant. This Council meeting was also audio taped. Anyone desiring to listen to the recording may contact the City Clerk